

## **REMARKS**

Applicant wishes to thank the examiner for the courtesy extended in granting an interview which was held by telephone on June 14, 2006. The verbiage used in the claim was discussed with the examiner at length and an understanding was reached for overcoming the rejection of claims 2 and 5 under 35 USC 112.

Claims 2 and 5 have now been amended to clarify how the second determining unit determines whether or not the DVD is a DVD-Video. This is accomplished by determining if the designated directory name of VIDEO\_TS or AUDIO\_TS is recorded on the loaded DVD using the directory information read from the loaded DVD by the directory information reading unit and for determining if any other directory names are recorded along with the recording of VIDEO\_TS or AUDIO\_TS.

Stated otherwise, the second determining unit first determines if the designated directory name of VIDEO\_TS or AUDIO\_TS is recorded using the directory information read from the loaded DVD. The second determining unit then determines if any other directory name is recorded along with the recording of VIDEO\_TS or AUDIO\_TS.

The playback speed control unit adjust the playback speed of the loaded DVD in response to the determination of the second determining unit that the DVD is a DVD-Video as indicated above. Thus, when VIDEO\_TS or AUDIO\_TS is determined to have been recorded the second determining unit knows that the DVD is a DVD-

Video. Moreover, only when no other directory names are recorded along with the name VIDEO\_TS or AUDIO\_TS will the playback speed control unit adjust the speed.

Should the examiner still feel claims 2 and 5 lack clarity applicant invites the examiner to call the undersigned to further discuss the claims.

The rejection of claims 2 and 5 under 35 USC 103(a) as unpatentable over Ando et al in view of JP11-306661 is respectfully traversed

The amended language in claims 2 and 5 now clearly distinguishes between the subject invention and the cited prior art clear. Ando et al does not teach a method for identifying a DVD as a DVD-Video and does not teach adjusting the playback speed based on the DVD type much less in the manner specified in claims 2 and 5. The Examiner has admitted this on page 3 of the Office Communication.

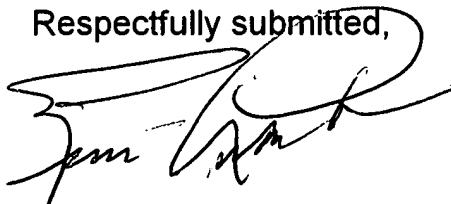
The secondary reference JP11-306661 teaches changing between CLV control and CAV control from the DVD-Video or DVD-ROM to save electric power. The method for identifying the disk is based on the length or extension of the file name. A DVD-Video is not intended to be identified by this method and it has no relation to the subject invention. Moreover, JP11-306661 does not adjust playback speed based on DVD type. In addition, neither Ando et al or JP11-306661 teach determining the presence of a DVD-Video by checking if the directory name VIDEO\_TS an/or AUDIO\_TS was recorded. Accordingly, the rejection of claims 2 and 5 under 35 USC 103 should be withdrawn.

It is acknowledged that claims 1, 3, 4, and 6 have been allowed.

For all of the above reasons claims 1-6 are now believed to be in condition for allowance.

Accordingly, consideration and allowance of claims 1-6 is respectfully solicited.

Respectfully submitted,



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#### MAILING CERTIFICATE

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed: Commissioner for Patents, P.O. Box 1450, Arlington, VA 22313-1450, MAIL STOP AMENDMENTS, on 6/29/06.



L. Felicetti

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